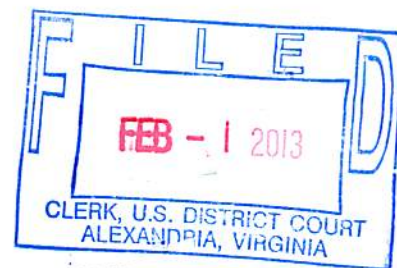


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



MANOJ AGGARWAL, et al.

Plaintiffs,

v.

OM SIKKA, et al.

Defendants.

Case No. 1:12cv0060

ORDER

The matter came before the Court on defendants' motions for summary judgment (Docs. 144, 153, and 155). The motions have been fully briefed and argued.¹

For the reasons stated from the Bench, and for good cause,


It is hereby **ORDERED** that defendants' motions are **GRANTED IN PART** and **DEFERRED IN PART**. The Nasr defendants' motion is **GRANTED** as to Count Three and the Sikka defendants' motion, the Nasr defendants' motion, and Petroleum Marketing Group's motion are **GRANTED** as to Count Five. Defendants' motions are **DEFERRED** in all other respects.

It is further **ORDERED** that the parties are **DIRECTED** to file, by 5:00 p.m. Wednesday, February 6, 2013, pleadings stating whether they wish the remaining claims to be resolved by this Court or alternatively, to be dismissed without prejudice such that they may be filed in state court.

¹ Although Count Four was dismissed on defendant's earlier motion to dismiss, plaintiffs have pled the count again in their Second Amended Complaint. See *Aggarwal v. Sikka*, 1:12cv60 (E.D.Va. June 12, 2012) (Order). Because Count Four has already been dismissed, it no longer remains a part of this case and was not considered for summary judgment.

The Clerk is directed to send a copy of this Order to all counsel of record.

Alexandria, VA
February 1, 2013



T. S. Ellis, III
United States District Judge